



# House of Representatives

General Assembly

**File No. 221**

February Session, 2002

Substitute House Bill No. 5315

*House of Representatives, March 28, 2002*

The Committee on Environment reported through REP. STRATTON of the 17th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING MERCURY EMISSIONS FROM POWER PLANTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1       Section 1. (NEW) (*Effective October 1, 2002*) (a) For purposes of this  
2 section: (1) "Affected unit" means any emissions unit subject to the  
3 provisions of the Post-2002 Nitrogen Oxides Budget Program, as  
4 described in the regulations adopted under section 22a-174 of the  
5 general statutes, and (2) "Title IV source" means an affected unit that is  
6 also subject to Phase II of the acid rain control requirements set forth in  
7 Title IV of the federal Clean Air Act, 43 USC 7651d et seq.
- 8       (b) Not later than January 1, 2007, an owner or operator of a Title IV  
9 source that is also an affected unit or units that burns solid fuel shall  
10 reduce their mercury emissions by at least ninety per cent from year  
11 2000 baseline levels.
- 12       (c) Not later than July 1, 2004, the Department of Environmental

13 Protection shall adopt regulations, in accordance with the provisions of  
14 chapter 54 of the general statutes, to ensure that: (1) The mercury  
15 emission reductions set forth in subsection (a) of this section are  
16 achieved on schedule; and (2) any captured or recovered mercury is  
17 not re-released into the environment.

18 (d) The Department of Environmental Protection shall have the  
19 authority to require solid fuel burning units to conduct testing to  
20 determine the mercury and chlorine content of the coal combusted by  
21 such source and to determine the amount of mercury emissions from  
22 such source.

This act shall take effect as follows:	
Section 1	October 1, 2002

**Statement of Legislative Commissioners:**

In section 1, "provisions of section 22a-174-22b of the Regulations of Connecticut State Agencies, the Post-2002 Nitrogen Oxides Budget Program" was changed to "provisions of the Post-2002 Nitrogen Oxides Budget Program, as described in the regulations adopted under section 22a-174 of the general statutes" for consistency with existing statutes.

**ENV**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note****State Impact:**

<b>Fund-Type</b>	<b>Agency Affected</b>	<b>FY 03 \$</b>	<b>FY 04 \$</b>
GF - EQ Cost/Revenue	Department of Environmental Protection	See Below	See Below

Note: GF=General Fund; EQ=Environmental Quality Fund

**Municipal Impact:**

<b>Municipalities</b>	<b>FY 03 \$</b>	<b>FY 04 \$</b>
Various Municipalities	See Below	See Below

**Explanation**

Assuming that this legislation is only applicable to the Bridgeport Unit 3 coal fired power plant, requiring the Department of Environmental Protection (DEP) to adopt regulations by July 1, 2004 concerning mercury emissions would require additional resources of approximately \$30,000 or the diversion of ½ a full time employee from current duties. DEP would also need to conduct stack testing at the facility to establish base-line data. This is anticipated to require additional resources of \$20,000-\$30,000 or the diversion of staff from current duties. These costs will be reimbursed by the power plant. DEP will also incur permitting costs to modify the plants current permit. It is estimated that this will increase costs by \$20,000 or require the diversion of 1/3 a full time employee from current duties. A minimal amount of this cost will be recouped through the permit fee.

In addition, it is anticipated that the Bridgeport plant would need to add on a carbon injection system to its existing particulate control system to comply with these requirements. This system is estimated to cost \$1-\$2 million dollars. To the extent that these costs are passed on to the users, including the state and municipalities, it could increase

costs for power. The exact impact is indetermine.

**OLR Bill Analysis**

sHB 5315

**AN ACT CONCERNING MERCURY EMISSIONS FROM POWER PLANTS****SUMMARY:**

This bill requires that, by January 1, 2007, certain solid-fuel (e.g., coal) burning power plants reduce mercury emissions by at least 90% from year 2000 baseline levels. Plants affected are those subject to the (1) Department of Environmental Protection (DEP's) Post-2002 Nitrogen Oxides Budget Program and (2) federal Clean Air Act's acid rain control requirements.

It requires DEP to adopt regulations by July 1, 2004 ensuring that (1) such power plants are on schedule to meet this requirement and (2) any captured or recovered mercury is not re-released into the environment. It authorizes DEP to require such power plants to determine the mercury and chlorine content of the coal they burn and the amount of mercury the combusted coal emits.

EFFECTIVE DATE: October 1, 2002

**BACKGROUND*****Related Bill***

The Environment Committee favorably reported HB 5209, which codifies DEP regulations concerning sulfur dioxide emissions from certain power plants and imposes limits on emissions credit trading.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 24      Nay 0